IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 10493 of 2000

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

KODAR DEVJI PATEL

Versus

STATE OF GUJARAT

Appearance:

MR BM MANGUKIYA for Petitioner

GOVERNMENT PLEADER for Respondent No. 1, 2, 3

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 26/02/2001

ORAL JUDGEMENT

Both the parties are in agreement that the matter is squarely covered by the decision of this Court in the case of Kalidas C. Kahar vs. State of Gujarat & Ors. reported in 1993 (2) GLR 1659 on the point that the verification of the statement of the secret witness is

made on the same day and the order of detention has been made on the next date.

In the result, this petition succeeds and the same is allowed. The order of detention of the petitioner dated 8-9-2000 is quashed and set aside. The petitioner Kodar Devji Patel, , the detenu, at present in District Jail at Nadiad, be set at liberty forthwith, if he is not required in any other case. Rule is made absolute. No order as to costs.

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zgs/-